



HW

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: March 7, 2007 Name: Bratislav Stankovic, Ph.D. Signature: BStankovic

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: John P. Helgeson, et al.

Appln. No.: 10/755,966

Filed: January 12, 2004

For: POTATO GENES FOR RESISTANCE TO  
LATE BLIGHT

Attorney Docket No: 12854/41 (P03170US)

Examiner: Ibrahim, Medina  
Ahmed

Art Unit: 1638

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Power of Attorney and copy of Assignment.
- ☒ Return Receipt Postcard.

Fee calculation:

- ☒ No additional fee is required.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

3/7/2007

Bratislav Stankovic, Ph.D. (Reg. No. 56,999)

BStankovic

BRINKS HOFER GILSON & LIONE

NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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GILSON  
& LIONE



Inventor(s) John Paul Helgeson, Sandra Austin-Phillips, Sara Kristine Naess, Junqi Song,  
Jiming Jiang, James Mathew Bradeen, C. Rubin Buell

Title: POTATO GENES FOR RESISTANCE TO LAGE BLIGHT

### POWER OF ATTORNEY

The specification of the above-identified patent application:

- ☐ is attached hereto  
☒ was filed on January 12, 2004 as application Serial No. 10/755,966

I hereby revoke all previously granted powers of attorney in the above-identified patent application and appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

**K. Shannon Mrksich, Reg. No. 36,675**  
**Bratislav Stankovic, Reg. No. 56,999**

Please address all correspondence and telephone calls to Bratislav Stankovic, Ph.D. in care of:

Brinks Hofer Gilson & Lione  
P.O. Box 10395  
Chicago, IL 60610  
(312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from the Wisconsin Alumni Research Foundation (WARF) as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

Wisconsin Alumni Research Foundation (WARF), a non-profit organization, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:


- ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.  
OR  
☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_.  
OR  
☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
1. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.
  2. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature  Date: 3/2/07  
Name: Michael Falk, Esq.  
Title: Director of Intellectual Property

ASSIGNMENT  
(Joint Inventors)

I am one of the persons identified as an inventor and who has contributed to a certain new and useful invention (the "Invention"), as set forth in an application for United States Letters Patent, bearing substantially the following title and bearing the following serial number. The application was executed by me, and it was filed on the indicated date:

Title: POTATO GENES FOR RESISTANCE TO LATE BLIGHT

Serial Number: 10/755966

Date Filed: 1-12-2004

The assignee under this agreement is hereby authorized to insert the filing date and serial number referred to above, when ascertained.

For good and valuable consideration, I do hereby sell, assign, and transfer to the Wisconsin Alumni Research Foundation (hereinafter "WARF") a non-stock, non-profit Wisconsin corporation, and to its legal representatives, successors, and assigns, my entire right, title and interest in and to the Invention and to all United States and foreign patent applications any of whose claims cover all or part of the Invention, together with all patents resulting from such applications. WARF shall hold such right, title, and interest as fully and completely as they would have been held by me had this assignment and sale not been made.

I agree, upon WARF's request, to execute or assent to such United States and foreign patent applications and to execute all separate assignments and other legal documents that WARF may find necessary or desirable in its exercise of the right, title, and interest assigned above. I also agree to communicate to WARF any facts relating to the Invention or to any of the patent applications or patents contemplated above that may be useful to WARF and to testify as to such facts in any interferences or in litigation, if requested to do so. I shall do all these things without additional compensation but at no expense to me.

I hereby request the Commissioner of Patents to issue to WARF, as the owner of my entire right, title, and interest therein, any Letters Patent of the United States that may be issued for the Invention.

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P03170US

App.#: 10/755966, Filed: 1-12-2004

Inventor: Sandra Austin-Phillips

Date: May 5, 2004

Sandra Austin-Phillips  
2137 Fox Avenue  
Madison, WI 53711

State of Wisconsin    )  
                                  )ss.  
County of Dane        )

On this 5 day of May, 2004 before me personally appeared Sandra Austin-Phillips, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Melodie A. Stranberg  
Notary Public

My Commission expires: Oct. 23, 2005

App.#: 10/755966, Filed: 1-12-2004

Jung Long

5/19/04

Junqi Song  
503 H Eagle Heights  
Madison, WI 53705

State of Connecticut )  
 )ss.  
County of New Haven)

On this 19<sup>th</sup> day of May, 2004 before me personally appeared Junqi Song, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

Tara Noëi

**My Commission expires:**

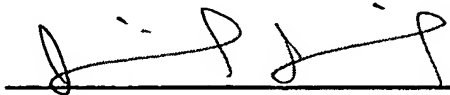
April 30, 2007

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P03170US

App #: 10/755966, Filed: 1-12-2004

Inventor: 

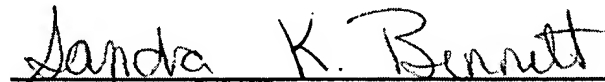
Date: 5/6/2004

Jiming Jiang  
5734 Schumann Drive  
Madison, WI 53711

State of Wisconsin    )  
                                  )ss.  
County of Dane        )

On this 10 day of May, 200<sup>5</sup>4 before me personally appeared Jiming Jiang, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

  
Notary Public

My Commission expires: 3/5/2006



ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P03170US

App.#: 10/755966, Filed: 1-12-2004

Inventor:

James M. Bradeen

Date: 5.12.04

James M. Bradeen  
3542 Blaisdell Avenue  
Minneapolis, MN 55408

Minnesota  
State of Wisconsin )

)ss.

County of Dane )

Washington  
On this 12th day of May, 2004 before me personally appeared James M. Bradeen, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Marjorie J. Bonse  
Notary Public

My Commission expires: 1/31/05

